



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

[REDACTED]  
Docket No. 8137-24  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
[REDACTED], USN, XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) Title 10 U.S.C. § 12731  
(c) Title 10 U.S.C. § 12732

Encl: (1) DD Form 149 w/attachments  
(2) NPC ltr 5730 Ser 00LCB 050324-MSDL, 17 Jul 24  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject's spouse, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her spouse's naval record be corrected to establish eligibility to transfer to the Retired Reserve vice discharge.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 20 February 2025 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Subject's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), a members may be transferred to the Retired Reserve without pay if he/she completes 20 years of qualifying service. Additionally, enlisted personnel who completed 20 years of qualifying service and served the last six years of qualifying service as a member of the Reserve component before 25 April 2005, were eligible upon application to received retired pay upon or after reaching age 60. Reference (c) requires a minimum of 50 inactive points per anniversary year to earn a qualifying year of service for non-regular retirement.

b. On 4 August 1952, Subject enlisted in the Naval Reserve.

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[REDACTED] USN, XXX-XX-[REDACTED]

- c. On 9 May 1959, Subject married [REDACTED] (Petitioner).
- d. On 16 August 1968, Subject advanced to Damage Controlman First Class/E-6.
- e. On 3 August 1972, Subject earned 20 total years of qualifying service (TYQS) for non-regular retirement.
- f. On 21 November 1977, Subject issued Notification of Eligibility for Retired Pay at Age 60.
- g. On 8 May 1976, [REDACTED] forwarded Subject's advancement to pay grade E-7 to Chief of Naval Personnel (Pers-38) for consideration.
- h. On 4 August 1976, Subject signed Immediate Reenlistment Contract for 2-years as a Hull Technician First Class (HT1)/E-6.
- i. Subject earned 45 inactive points for anniversary year ending 3 August 1977 and 15 inactive points for anniversary year ending 3 August 1978; both were unqualifying years of service toward non-regular retirement.
- j. On 3 August 1978, Subject honorably discharged at expiration of obligated service (EOS) in paygrade HT1/E-6 with 24 TYQS.
- k. On 11 January 1982, Subject passed away at the age of 47.
- l. On 17 July 2024, Navy Personnel Command (PERS-00L) notified Petitioner that Subject earned 24 years of creditable service toward a non-regular retirement upon being discharged at EOS due to insufficient drill points from 4 August 1977 to 3 August 1978. Additionally, there is no record that Subject requested transfer to the Retired Reserve.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Subject failed to request transfer to the Retired Reserve without pay prior to his 3 August 1978 EOS. However, because Subject earned over 20 TYQS for a *non-regular* retirement, the Board determined that under this circumstance, relief is warranted.

## RECOMMENDATION

That Subject's naval record be corrected, where appropriate, to show that:

Subject's discharge of 3 August 1978 is rescinded.

Subject requested transfer to the Retired Reserve *without pay* in a timely manner and the request was approved by cognizant authority with a retirement date of 1 August 1978.

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Subject transferred to the Retired Reserve *without pay* effective 1 August 1978.

A copy of this report of proceedings will be filed in Subject's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above titled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

2/25/2025

